



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,301	09/04/2003	Ming-Chieh Lee	3382-65018	8212
26119 7590 07/10/2007 KLARQUIST SPARKMAN LLP 121 S.W. SALMON STREET SUITE 1600 PORTLAND, OR 97204			EXAMINER DO, ANH HONG	
			ART UNIT 2624	PAPER NUMBER
			MAIL DATE 07/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/656,301	Applicant(s) LEE ET AL.	
	Examiner ANH H. DO	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37 and 38 is/are allowed.
- 6) ☒ Claim(s) 1-27 and 32-36 is/are rejected.
- 7) ☒ Claim(s) 28-31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/25/04, 10/19/05, 11/16/06</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-27 and 33-36 are rejected under 35 U.S.C. 102(a) as being anticipated by Ishii et al. (U.S. Patent No. 6546188).

Regarding claim 1, Ishii discloses:

- getting effect parameters for one or more synthesized images derived from one or more still images (Fig. 1: image effect device 6 for getting effect parameters for images derived from hybrid recorder 3)
- compressing the one or more original still images (Fig. 1: hybrid recorder 3 for encoding/compressing the image V1);
- outputting the effect parameters and the one or more compressed original still images, thereby producing output for a sequence of vivid video comprising the one or more synthesized images (Fig. 1: image effect device 6 for outputting the effect parameters and the image V6; col. 7, lines 54-57).

Regarding claim 16, Ishii discloses:

- an effect parameterizer for getting effect parameters for one or more synthesized images (Fig. 1: image effect device 6), wherein the effect parameters include rotation effects for at least one or more synthesized images (col. 43, lines 37-42:

rotation position), and wherein the effect parameters further include fading coefficients for fading effects for at least one of the one or more synthesized images (col. 59, lines 20-22);

- a still image compressor for compressing one or more original still images (Fig. 1: hybrid recorder 3);
- a multiplexer for outputting the effect parameters and the one or more compressed original still images (Fig. 1: image effect device 6 for outputting the effect parameters and the image V6; and col. 7, lines 54-57).

Regarding claims 2, 5, 20, 23 and 34, Ishii teaches the effect parameters include rotation effect (col. 43, lines 37-42: rotation position).

Regarding claims 3, 6, 21, 24 and 35, Ishii teaches coefficients for fading effect (col. 59, lines 20-22).

Regarding claims 4, 17 and 22, Ishii teaches reducing the number of effect parameters that are output (col. 8, lines 6-8: main unit 2a for reducing the number of effect parameters).

Regarding claims 7 and 25, Ishii teaches a different set of effect parameters (col. 59, lines 6-18: a set of different effect parameters such as wipe, mix, mosaic, P-in-P, page turn, etc.).

Regarding claim 8, Ishii teaches at least one of the one or more synthesized images is derived from two of the one or more original still images (col. 17, lines 1-5: a clip image data corresponding to the still image is derived from the composite video signals V2).

Regarding claim 9, Ishii teaches combining the output with an audio track for the sequence of vivid video (Fig. 1: output signal V5 is combined an audio A5).

Regarding claim 10, Ishii teaches transferring file using bus 5a (Fig. 3).

Regarding claim 11, Ishii teaches specifying the effect parameters using picture effect device 6 (Fig. 1).

Regarding claim 12, Ishii teaches the effect parameters from an application (col. 59, lines 6-18: application such as wiping an image, etc.).

Regarding claims 13 and 27, Ishii teaches intra video frames (col. 39, line 66 – col. 40, line 2: a video frame with the same time code) and predicted video frames (Fig. 37: 1-frame delay 744 for predicting video frames).

Regarding claims 14 and 26, Ishii teaches first dimension for still images and second dimension for a target window area (col. 29, lines 29-32: X-position coordinates for still images and Y-position coordinates).

Regarding claims 15 and 32, Ishii teaches a RAM 10b storing computer executable instructions for causing the encoder to perform the method of claim 1 (Fig. 3).

Regarding claims 18 and 36, Ishii teaches output for a sequence of vivid video comprising the one or more synthesized images (Fig. 1: device 6 for outputting the synthesized images V5 and V6).

Regarding claim 19, Ishii discloses:

- receiving output for a sequence of vivid video comprising one or more synthesized images, the output including one or more compressed original still

images and effect parameters for the one or more synthesized images (Fig. 18: VTR 301);

- decompressing the one or more compressed original still images (Fig. 18: decoder 305);

- composing the one or more synthesized images based at least in part upon the effect parameters and the one or more decompressed original still images (Fig. 18: first time code adding unit 311 for composing images).

Regarding claim 33, since this is an apparatus claim corresponding to method claim 19, the discussion of claim 19 is applied hereto.

***Allowable Subject Matter***

3. Claims 28-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 37 and 38 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 28, the prior art, taken either singly or in combination, does not teach:

- computing a first component image based upon first transform parameters of the effect parameters and the first one of the one or more decompressed original still images.

Regarding claim 29, since this claim depends upon claim 28, it is also objected for the same reason.

Regarding claim 30, the prior art, taken either singly or in combination, does not teach:

- buffering up to n of the one or more decompressed original still images, wherein the oldest one of the one or more decompressed original still images is discarded as necessary for the newest one of the one or more decompressed original still images.

Regarding claim 31, since this claim depends upon claim 30, it is also objected for the same reason.

Regarding claim 37, the prior art, either taken singly or in combination, does not teach:

- a set of control flag... the output frame; up to two sets of input flags ... the output frame; up to two sets of effect parameters... the output frame.

Regarding claim 38, since this claim depends upon claim 37, it is also allowable for the same reason.

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH H. DO whose telephone number is 571-272-7433. The examiner can normally be reached on 5/4-9.

Art Unit: 2624

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, EILEEN LILLIS can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 25, 2007



**ANH HONG DO**  
**PRIMARY EXAMINER**